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AFJ 3625

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In The Matter of United States Patent Application:

Appl. No. : **09/822,160**
Applicant : **Matthew Bondy**
Filed : **March 30, 2001**
Title : **Method And System For selling A Plurality Of Items**

TC/A.U. : **3625**
Examiner : **Matthew S. Gart**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandra, VA 22313-1450

November 22, 2004

Dear Mr. Gart.

Thank you for taking the time to speak with me on Friday, November 12, 2004. Further to our conversation, I am proceeding to represent myself and have therefore instructed the attorneys to remove themselves from the records of this application.

Based on the most recent Office Action and our subsequent telephone conversation, it became clear to me that the language of the claims was not clearly identifying the most innovative aspects of the invention. Without introducing any new subject matter, I have amended the claims to resolve this and have provided corresponding remarks following the amendments; however, I will now summarize the innovative aspects of the invention for your convenience and consideration.

The invention is essentially a method and corresponding system for selling items that involves providing e-commerce web sites to many related local organizations we refer to as affinity groups. One project we are currently working on involves providing

hundreds or thousands of fitness clubs with their own distinct web sites, that have an embedded e-store for selling nutritional supplements.

This approach is considerably different and more complex than that of a typical online e-tailer (e.g. amazon.com) that uses a single site for selling their products, but there are many advantages:

- The local fitness clubs already have a customer base who would visit the web site for other reasons (e.g. find an aerobics class, book a health club, etc.).
- Club professionals represent a skilled sales staff.
- Online privacy/security concerns are mitigated by customers using a local organization that they are familiar with.
- Can reach the nearly 99% that are still buying offline through a club kiosk.
- Can save on shipping costs by consolidating shipments for many members of the local organization.

Despite the many advantages of this distribution method, it would not be practical to build these independent web sites one at a time. The invention therefore utilizes web site frameworks and a distributed e-tailing system. The web site frameworks enable fitness clubs to quickly set up their own web site and customize it to meet their needs. Their web site is completely independent and can be hosted anywhere they like. Their web site also has an embedded custom e-store, which is provided by the distributed e-tailing system. The e-tailing system provides custom e-stores that have the following unique characteristics:

- can be embedded in a custom web site
- can take on the characteristics of the web site in which they are embedded (e.g. colour, style, navigation, etc.,)
- can support custom featured items (e.g. local club recommendations)
- can support custom products (e.g. local club memberships)

There are other unique features of the distributed e-tailing system, such as the ability to generate commissions for the affinity groups and package and ship orders by affinity group.

Both Cronin and Bezos provide a single web site. We are not aware of any prior art for a method of selling items, which involves providing a distributed e-tailing system and custom web sites that are independent and can be hosted on disparate web servers. I have amended the application to emphasize that without adding any new subject matter. You will find that all amendments are fully supported by the disclosure.

As we discussed on the phone, please call me once you have had a chance to review my response.

Kindest Regards,

A handwritten signature in black ink, appearing to read "M. Bondy".

Matt Bondy
(519) 744-3001
mbondy@intrinity.com

Intrinity Incorporated
1072 Sawmill Road,
Waterloo, ON
N2J 4G8
CANADA

AMENDMENT B

This Amendment is filed in response to the Office action mailed August 24th, 2004. The three month period for responding to the Office action expires on November 24th, 2004. Please amend the above identified application in the following manner.

Amendments to the Drawings

The attached 4 sheets of drawings for Figs. 5-8 replace the previous Figs. 5-8. The drawings have simply been amended to provide a second example of an independent custom web site for greater clarity.

Attachment: 4 pages of replacement sheets for Figs. 5-8.

Amendments to the Disclosure

Please replace the first paragraph on page 9 of the original disclosure with the following amended paragraph:

FIG. 5 is presenting the Web page of the church, ~~Koinonia~~, which is of churches, such as Koinonia, which are generated by the Web creating module 12c and sent back to the site administrator. As shown in FIG. 5, the home page of ~~Koinonia~~ the church includes a welcome statement 52, which is filled out by the site administrator at the previous step. Also, the Web page has a church banner 54 and a navigation (or menu bar 58) leading to various Web pages of the church. Most importantly, the home page of FIG. 5 includes a hyperlink to the e-tailing system 14 as an electronic store 50 (hereinafter, "e-store") and information or an advertising statement 51 in accordance with one of the significant features of the present invention. Other Web pages of the church, ~~Koinonia~~, may include the e-store 50 and the advertising statement 51. Therefore, all the members of the church, Koinonia, can visit their Web site 92 and purchase products and services offered by the e-tailer, Intrinity, at any time while enjoying navigating the online presence. Also, the members who are not on the Internet at home can visit their Web site 92 at the church and electronically purchase products